

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CIVIL ACTION No. 04CV10569JLT

KELLY HARMUTH,  
Plaintiff,

v.


CONTINENTAL CASUALTY COMPANY,  
CNA INSURANCE COMPANIES, &  
SBLI GROUP DISABILITY PLAN  
Defendants.

**PLAINTIFF KELLY HARMUTH'S**  
**LR, D. Mass. 16.1(D)(3) CERTIFICATION**

In accordance with the provisions of LR, D. Mass. 16.1(D)(3), I, Kelly Harmuth, the Plaintiff in this action and Mala M. Rafik, counsel for the Plaintiff, hereby certify that we have conferred:

- (a) with a view to establishing a budget for the costs of conducting the full course --- and various alternative courses ---- of the litigation; and
- (b) to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in LR, D. Mass. 16.4.

Dated: October 21, 2004

  
Mala M. Rafik  
BBO No. 638075  
Rosenfeld & Rafik, P.C.  
44 School Street, Suite 410  
Boston, MA 02108  
(617) 723-7470

Kelly Harmuth 10/31/04  
Kelly Harmuth